

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

FILED
RICHARD W. NAGEL
CLERK OF COURT

4/28/25

United States of America)

v.)

Case No. 3:25-mj-192

YONIFER PERES SANTOS)

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST. DIV. DAYTON

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 24, 2025 in the county of Montgomery in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. § 1326(a) & (b)(1)

Reentry of Removed Alien.

This criminal complaint is based on these facts:

See affidavit of SA Matthew Klauenberg, HSI

☒ Continued on the attached sheet.

Matthew Klauenberg

Complainant's signature

SA Matthew Klauenberg, HSI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone _____ (specify reliable electronic means).Date: 4/28/25City and state: Dayton, OhioPeter B. Silvain, Jr.
United States Magistrate Judge

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Matthew W. Klauenberg, being duly sworn, depose and state as follows:

1. I am a Deportation Officer with Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) division. I am a graduate of the Federal Law Enforcement Training Center (“FLETC”) and I have received specialized training in establishing alienage and removability of foreign-born citizens. I also have extensive knowledge of, and experience reviewing, Alien files (“A-files”) which also facilitates my determination of whether a person is present in the United States unlawfully. An A-file is a collection of documents pertaining to a known alien maintained by Citizenship and Immigration Services, which contains, among other information, records from any prior removal from the United States and the reason for such removal. The documents, including fingerprint records of the alien, are placed in the A-file by representatives of the Department of Homeland Security as well as other agencies. Through my training and experience, my duties include identifying aliens present in the United States both lawfully and unlawfully.

2. This affidavit is made in support of a criminal complaint and arrest warrant for Yonifer Alduvi Peres Santos (Hereinafter PERES SANTOS) charging him with violating Title 8, United States Code, Section 1326(a), Reentry of Previously Removed Alien in the United States, enhanced by (b)(1), After Having Been Convicted of a Felony. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from official documents, databases, other law enforcement agents and witnesses. This affidavit is

intended to show that there is probable cause for the requested complaint and arrest warrant and does not purport to set forth all of my knowledge of, or investigation into this matter.

3. Based on my training and experience, I know that a DHS “A-File” is a file in which all immigration records are maintained for aliens admitted or found to be illegally present in the United States. I also know that a DHS A-File usually contains forms, photographs, fingerprints, court records of conviction, and all records relating to deportation or other actions by DHS (or INS) with respect to the subject alien for whom the DHS A-File is maintained. The A-file corresponds with an “A-number”, a unique number assigned to foreign nationals as they undergo proceedings through the United States immigration system. PERES SANTOS’ A-file is maintained under A-number ending in 768. I know that in addition to A-files, DHS utilizes numerous databases and indices to store immigration related information that correlates with documents found in the A-file.

a. PERES SANTOS is a citizen of Honduras.

b. On or about July 11, 2022, PERES SANTOS was ordered removed from the United States by an Immigration Judge. PERES SANTOS was then officially removed and then deported from the United States on or about July 29, 2022 at or near Alexandria, Louisiana.

4. On February 24, 2025, HSI received an anonymous call on its Tip Line indicating that PERES SANTOS was in the United States. The anonymous tip provided the following information:

a. On February 24, 2025, a white work van ran into the caller’s garage.

b. According to the caller, there were several illegal aliens living at 1021 Wyoming St. in Dayton, Ohio. One of the illegal aliens drives a black Honda Civic, with red stripes.

c. The caller also identified PERES SANTOS by name as one of the illegal aliens who lives at 1021 Wyoming St.

5. On April 9, 2025, the Homeland Security Investigations Task Force (HSTF) investigated whether PERES SANTOS lived at 1021 Wyoming St. While doing surveillance on Wyoming St., HSTF conducted a traffic stop on a black Honda Civic, with red stripes—presumably the same vehicle mentioned on February 24, 2025, and observed during HSTF surveillance—that was registered to an illegal alien. During the traffic stop, both the driver (hereinafter Individual-1) and the passenger (hereinafter Individual-2) admitted to being illegal aliens. Furthermore, Individual-1 confirmed that he and PERES SANTOS lived at 1021 Wyoming St.

6. On April 28, 2025, the HSTF conducted surveillance at 1021 Wyoming St. Agents observed a male who matched a known photo of PERES SANTOS leave the residence and get into a black work truck. PERES SANTOS walked out of his residence, made direct eye contact with an agent, wearing his law enforcement vest and sitting in an unmarked car, and immediately got into the work truck.

7. Upon PERES SANTOS getting into the vehicle, the work truck traveled eastbound on Wyoming St. and then turned northbound on St. Joseph Ave. Consistent with the agents belief that PERES SANTOS had seen them, the truck appeared to accelerate rapidly in an attempt to evade law enforcement. The truck then turned westbound onto Demphle Ave. and then turned northbound onto St. Paul Ave. at which point agents of the HSTF initiated their emergency lights to perform a vehicle stop on the truck. The truck came to a stop on St. Paul Ave. Upon stopping, three individuals exited the truck and fled on foot, including PERES SANTOS. The driver (hereinafter Individual-3) of the truck was apprehended and admitted to being an illegal alien. Individual-3 confirmed that PERES SANTOS had been in the vehicle with him.

8. Based on the foregoing, PERES SANTOS is an illegal alien residing in the United States.

9. I also reviewed DHS Indices databases and indices concerning aliens. Those indices indicated that PERES SANTOS pleaded guilty to Abduction in Montgomery County Common Pleas Case No. 2021CR4027 on March 7, 2022. Furthermore, those indices also indicated that PERES SANTOS had not lawfully entered the United States, nor had he applied for nor obtained permission from the Attorney General of the United or her designated successor or the Secretary of Homeland Security, to re-enter the United States legally since PERES SANTOS had last been deported. I therefore conclude that PERES SANTOS is a previously removed alien who is currently unlawfully in the United States.

10. Based upon the foregoing, I submit there is probable cause to believe PERES SANTOS is in violation of Title 8 of the United States Code Section 1326(a) Reentry of a Previously Removed Alien enhanced by (b)(1), After Having Been Convicted of a Felony.

Matthew Klauenberg

Matthew Klauenberg
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn before me on this the 28th day of April, 2025.

Peter B. Silvain, Jr.
Peter B. Silvain, Jr.
United States Magistrate Judge

The seal of the United States District Court, Southern District of Ohio, is circular. It features an eagle with spread wings, perched on a shield with vertical stripes. The text "UNITED STATES DISTRICT COURT" is arched across the top, and "SOUTHERN DISTRICT OF OHIO" is arched across the bottom. A blue signature is written across the seal.